

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-01 INR-10
L-03 NSAE-00 PA-01 SP-02 SS-15 TRSE-00 OMB-01
ACDA-12 COME-00 MCT-01 NSCE-00 SSO-00 ICAE-00
INRE-00 SSC-01 /065 W
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O R 031721Z JUL 78
FM USMISSION USBERLIN
TO SECSTATE WASHDC IMMEDIATE 7190
INFO AMEMBASSY BONN IMMEDIATE
AMCONSUL BREMENT
AMCONSUL DUESSELDORF
AMCONSUL FRANKFURT
AMCONSUL HAMBURG
AMCONSUL MUNICH
AMCONSUL STUTTGART

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E.O.11652: PINT, WB
SUBJECT: SENATOR FOR JUSTICE BAUMANN RESINGS

REF: (A) USBERLIN 1516, (B) USBERLIN 1253

SUMMARY: SENATOR FOR JUSTICE JUERGEN BAUMANN (FDP)
RESIGNED JULY 3. HE WILL BE REPLACED TEMPORARILY BY
SENATOR FOR FEDERAL AFFAIRS HORST KORBER (SPD).
KORBER WILL RETAIN HIS FEDERAL AFFAIRS POST.
GOVERNING MAYOR STOBBE IS DISCUSSING WITH MAYOR LUEDER
THE POSSIBILITIES OF A "PERMANENT" REPLACEMENT FOR
BAUMANN. EFFECT OF BAUMANN RESIGNATION ON FDP'S
FORTUNES CANNOT BE GUAGED AT THIS POINT. END SUMMARY.

1. SENATOR FOR JUSTICE JUERGEN BAUMANN (FDP) ANNOUNCED
HIS RESIGNATION JULY 3. BAUMANN RESIGNED FOLLOWING A
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PRIVATE MEETING WITH GOVERNING MAYOR STOBBE IN WHICH STOBBE
REQUESTED BAUMANN RESIGN IN LIGHT OF INFORMATION WHICH HAS
COME TO LIGHT IN HEARINGS BEFORE THE HOUSE SPECIAL INVESTIGATIVE
COMMITTEE LOOKING INTO THE MOABIT JAIL BREAK. IN A STATEMENT
TO THE PRESS STOBBE STATED THAT HE HAD REFUSED TO INSIST ON
BAUMANN'S RESIGNATION UNTIL A PARLIAMENTARY COMMITTEE HAD HAD AN
OPPORTUNITY TO EXAMINE THE FACTS OF THE CASE IN AN CALM AND

DETACHED MANNER. STOBBE POINTE DOUT, HOSEVER, THAT HE HAD NEVER CLAIMED THAT HE CONSIDERED BAUMANN FREED FROM ANY POLITICAL RESPONSIBILITY IN THE CASE. STOBBE CONCLUDED HIS BRIEF PRESS DECLARATION WITH THE COMMENT THAT BAUMANN'S DECISION TO RESIGN WAS CONSISTENT WITH THE PARLIAMENTARY TRADITIONS OF ASSUMING POLITICAL RESPONSIBILITY AND REPRESENTS A CLEAR RESOLUTION TO THE CURRENT GOVERNMENT CRISIS.

2. APPEARING BEFORE THE PRESS FOLLOWING BAUMANN'S RESIGNATION STOBBE SHOWED UNUSUAL UNCERTAINTY AND UNEASE ON SEVERAL POINTS. BAUMANN TOLD THE PRESS THAT HE HAD RESIGNED BECAUSE HE NO LONGER HAD THE SUPPORT OF THE SENAT. STOBBE SAID HE NEVER TOLD BAUMANN THAT, AND IMPLIED THAT THIS INFORMATION MAY HAVE BEEN TRANSMITTED TO BAUMANN BY FDP CHAIRMAN LUDER. ON THE OTHER HAND, STOBBE SAID HE HAD EXPECTED BAUMANN TO RESIGN FOLLOWING THE TESTIMONY GIVEN BY SECURITY SPECIALISTS DURING THE JUNE 30 PARLIAMENTARY HEARINGS ON THE MOABIT BREAKOUT TO THE EFFECT THAT BAUMANN HAD NOT DONE ALL HE MIGHT HAVE TO SECURE THE PRISON.

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3. STOBBE ALSO STATED THAT HE HAD NOT YET REACHED AN AGREEMENT WITH LUEDER AND THE FDP ABOUT A POSSIBLE SUCCESSOR FOR BAUMANN. IN A PRESS CONFERENCE HELD AN HOUR BEFORE THE GOVERNING MAYOR'S, LUEDER AND FDP FLOOR LEADER HORST VETTER HAD INDICATED A CANDIDATE TO REPLACE BAUMANN COULD VERY WELL BE PRESENTED TO THE HOUSE OF REPRESENTATIVES FOR A VOTE ON JULY 6. STOBBE ON THE OTHER HAD REPEATEDLY DODGED THIS QUESTION, SAYING THE FDP HAD MADE NO CONCRETE PROPOSALS, THAT HE, STOBBE, HAD NONE TO MAKE, AND THAT HE WOULD NOT SPECULATE ON HOW THINGS WOULD BE HANDLED UNTIL THE FDP MADE A FIRM PROPOSAL. STOBBE LEFT OPEN WHETHER A "PERMANENT" REPLACEMENT FOR BAUMANN WOULD BE FOUND BEFORE THE HOUSE ADJOURNS FOR THE SUMMER. IN THE INTERIM, HOWEVER, HE HAD ASKED SENATOR FOR FEDERAL AFFAIRS HORST KORBER (SPD) TO TAKE OVER THE JUSTICE LIMITED OFFICIAL USE

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PORTFOLIO. KORBER HAD BEEN JUSTICE SENATOR FROM 1971 TO 1975 IN THE SCHUETZ ADMINISTRATION.

4. COMMENT: PRESSURE FOR BAUMANN TO RESIGN HAS GROWN DAILY SINCE THE SPECIAL PARLIAMENTARY COMMITTEE BEGAN ITS HEARINGS LAST WEEK, AND BY THIS PAST WEEKEND IT HAD BECOME A FOREGONE CONCLUSION THAT THE SENATOR WOULD BE OUT OF OFFICE WELL BEFORE THE SUMMER RECESS OF THE BERLIN HOUSE. BAUMANN'S POSITION HAD BECOME UNTENABLE BY THE END OF LAST WEEK WHEN IT BECAME CLEAR DURING THE COURSE OF PARLIAMENTARY HEARINGS THAT BAUMANN HAD NOT, IN FACT, KEPT HIMSELF WELL INFORMED ABOUT DETAILS OF SECURITY PRECAUTIONS AT MOABIT PRISON. MEANWHILE WE HEARD FROM SEVERAL RELIABLE SOURCES IN THE FDP AND CLOSELY CONNECTED TO THE BERLIN GOVERNMENT THAT THE FDP HAD REACHED THE CONCLUSION ON A NATIONAL AS WELL AS LOCAL LEVEL THAT THE PARTY WAS IN TOO GREAT DIFFICULTIES TO PERMIT ITSELF THE LUXURY OF CONTINUING TO CARRY THE ADDITIONAL LIABILITY OF THE CONTROVERSIAL SENATOR. HIS RESIGNATION TODAY, WHILE COMING MORE QUICKLY THAN MOST HAD EXPECTED, WAS THEREFORE NO LONGER A SURPRISE FOR MOST LOCAL POLITICAL OBSERVERS. WHETHER THE DEPARTURE OF BAUMANN WILL REPRESENT A CLEAN LANCING OF THE BOIL WHICH HAS PLAGUED THE FDP AND BERLIN COALITION FOR THE PAST SIX WEEKS, REMAINS TO BE SEEN. MANY OBSERVERS FEEL STOBBE MADE A TACTICAL MISTAKE IN NOT RIDDING HIMSELF OF BAUMANN IMMEDIATELY AFTER THE MOABIT JAILBREAK. CERTAINLY THE OPPOSITION CDU WILL MAKE THE MOST OF THE FACT THAT BAUMANN IS THE SECOND FDP JUSTICE SENATOR TO RESIGN IN THIS LEGISLATIVE PERIOD, AND THE FOURTH SENATOR TO BE FORCED TO LEAVE THE COALITION CABINET. GEORGE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LEGISLATORS, PERSONNEL RESIGNATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 03 jul 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978USBERL01584
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780274-0399
Format: TEL
From: USBERLIN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780798/aaaaderx.tel
Line Count: 169
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: b9c07c7b-c288-dd11-92da-001cc4696bcc
Office: ACTION EUR
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 78 USBERLIN 1516, 78 USBERLIN 1253
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 31 mar 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2123141
Secure: OPEN
Status: NATIVE
Subject: SENATOR FOR JUSTICE BAUMANN RESINGS
TAGS: PINT, WB, GE, (BAUMANN, JUERGEN)
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/b9c07c7b-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014